

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

UNITED STATES OF AMERICA

v.

MATTHEW MARSH, *et al*,

Defendants.

)
)
)
) Crim. No. 05-40025-FDS
)
)
)

**GOVERNMENT'S MOTION FOR
BRIEF CONTINUANCE OF SENTENCING HEARING**

The United States of America (the "government") respectfully requests this Honorable Court for a brief continuance of the Sentencing Hearing in this matter, which is currently set for Thursday, April 5, 2007, at 10:00 a.m. In support of this motion, the government states as follows:

1. The parties appeared before the Court on Friday, March 23, 2007, for a Sentencing Hearing in this matter. During the hearing, the Court raised some concerns related to the defendant's mental health and two prior convictions, which were recently vacated. The Court continued the Sentencing Hearing to April 5, 2007, at 10:00 a.m., with memoranda due three days prior to the hearing (on April 2, 2007).
2. At the hearing, undersigned counsel for the government did not have her appointment book with her as additional scheduling was unexpected. Counsel therefore respectfully requested leave to seek a brief continuance of the new deadlines if they did, in fact, conflict with previously scheduled commitments. The Court invited counsel to seek such a continuance if necessary, and to discuss alternative dates with the Court's courtroom clerk.
3. Upon review of the undersigned attorney's appointment book, the government does, in fact, require a brief continuance of the defendant's Sentencing Hearing.

Specifically, undersigned counsel is already scheduled to appear before the Honorable Nancy Gertner on Thursday, April 5, 2007, for a Rule 11 hearing in United States v. Colson, Crim. No. 06-10274-NG, at 11:00 a.m.

4. Due to this scheduling conflict, the government respectfully requests a brief continuance of the defendant's Sentencing Hearing in this matter. To the extent that such relief is granted, the government notes that the undersigned attorney is available at any time on April 6, 9, 11, 13 and 17-20. The government further notes that a brief continuance would not prejudice the defendant, who is facing a 10-year mandatory minimum sentence in this matter.

WHEREFORE, the government respectfully requests a brief continuance of the Sentencing Hearing currently set for April 5, 2007, at 10:00 a.m., in the above referenced matter.

Dated: March 24, 2007

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney

By: /s/ *Lisa M. Asiaf*
LISA M. ASIAF
Assistant U.S. Attorney
Tel: (617) 748-3268

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on March 24, 2007.

/s/ *Lisa M. Asiaf*
LISA M. ASIAF